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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,296	06/22/2001	David A. Fotland	20880-06029	9976

758 7590 12/23/2005

FENWICK & WEST LLP
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW, CA 94041

EXAMINER	
MEONSKE, TONIA L	
ART UNIT	**PAPER NUMBER**
2181	

DATE MAILED: 12/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary	Application No.	Applicant(s)	
	09/888,296	FOTLAND ET AL.	
	Examiner	Art Unit	
	Tonia L. Meonske	2181	

All participants (applicant, applicant's representative, PTO personnel):

(1) *Tonia L. Meonske*. (3)*Steve Yelderman*.

(2) *John T. McNelis*. (4)_____.

Date of Interview: *15 December 2005*.

Type: a)☒ Telephonic b)☐ Video Conference
c)☐ Personal [copy given to: 1)☐ applicant 2)☐ applicant's representative]

Exhibit shown or demonstration conducted: d)☐ Yes e)☒ No.
If Yes, brief description: _____.

Claim(s) discussed: *1,5 and 11*.

Identification of prior art discussed: *Joy et al., US Patent 6,542,991*.

Agreement with respect to the claims f)☐ was reached. g)☒ was not reached. h)☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: *See Continuation Sheet*.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

DOV POPOVICI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record
A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews
Paragraph (b)
In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.
All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:
- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:
1) A brief description of the nature of any exhibit shown or any demonstration conducted,
2) an identification of the claims discussed,
3) an identification of the specific prior art discussed,
4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
5) a brief identification of the general thrust of the principal arguments presented to the examiner,
   (The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
6) a general indication of any other pertinent matters discussed, and
7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Applicant articulated their understanding of Joy as applied to claims 1, 5, and 11. See the attached agenda for the summary of their understanding.

Regarding claim 1, Applicant argued in essence that the INS 1722 are in the same memory location as the OUTS 1712, and therefore are included in the first set of storage devices, element 1710. However, Examiner pointed out that the INS and OUTS are not in fact the same memory location. In column 28, lines 6-20, INS and OUTS data values are stored in one lateral position at different depths. While data values for the varying contexts may be stored at the same lateral position, the data values are stored at different corresponding depths. Therefore in Figure 17a, element 1712 is stored at a specific lateral location. On a function call, the value stored in element 1712 is passed to element 1722 at a different depth (column 29, lines 54-64). Therefore, elements 1712 and 1722 are not the same memory location.

Regarding claims 5 and 11, Applicant argued in essence that Joy has not taught a decoder that meets the requirements of decoding an instruction of a first thread associated with a first context to determine a second context. However, Examiner pointed out that elements 1214 and 1314 meet the claimed decoding requirements. Decoding element 1214 decodes an instruction and dispatches it for execution. Later element 1314 further decodes associated instruction elements, which determines a second context and source data register associated with a first operand. In order to determine the second context and source data register associated with the first operand, both decoding functions of elements 1214 and 1314 must be performed on the instruction. Therefore elements 1214 and 1314 meet the decoding element of claims 5 and 11.

Examiner noted that the invention of Joy is different than Applicant's actual invention, however, Applicant has not yet successfully overcome Joy with claim limitations that distinguish over Joy. For example, Joy can only write to values of another context at a lateral adjacent poistion that overlaps another window, whereas the invention of Applicant can also write to other context registers besides registers at an adjacent lateral overlapping position. Examiner encouraged Applicant to somehow distinguish this difference explicitly in the claims. Examiner cautioned Applicant to avoid claiming the invention by what it is not.

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CONFIDENTIAL

DATE: December 9, 2005 **CLIENT-MATTER NUMBER:** 20880-06029

To:

NAME:	FAX NO.:	PHONE NO.:
Tonia L. Meonske USPTO	(571) 273.4170	(571) 272.4170

FROM: John T. McNelis **PHONE:** (650) 335-7133

RE: U.S. Application No. 09/888,296

NUMBER OF PAGES WITH COVER PAGE: 2	

MESSAGE:

Thank you for your voicemail. As per your request, we are faxing an agenda for the proposed interview regarding application 09/888296.

Should you choose to grant the interview, we could be available for teleconference on Wednesday, December 14th, at 1:30 p.m. EST (10:30 a.m. PST). Please let us know if you might be available to speak with us at that time.

Agenda for proposed interview with Tonia Meonske regarding 09/888,296

- 102 rejection of Claim 1 – specifically the element:

  wherein at least said first set of data storage devices includes a control status register for identifying a first target set of data storage devices from which a first source operand of a fetched instruction is to be retrieved and for identifying a second target set of data storage devices to which a first result of an executed instruction is to be stored, wherein at least one of said first or said second target set of data storage devices is not included in the first set of data storage devices;

- "Joy" disclosure of overlapping windows, particularly Figures 17A and 17B and Col. 29 lines 54-64. Our understanding of Joy Figure 17A is that the OUTs 1712 of the current window (caller) 1710 are the same memory location as the INs 1722 of the current window (callee) 1720. This understanding is based on the description of Figure 17A in Col. 29 lines 54-64, as well as Figure 17B, in which the INs for one window are shown to share the same bit cell as the OUTs for another window. As we understand Joy Figure 17A, the INs 1722 are in the same memory location as the OUTs 1712, and therefore *are* included in the "first set of storage devices, element 1710." This understanding of Joy seems to contradict the manner in which Joy was applied by the Examiner in pages 5-6 of the latest Office Action.

- 102 rejection of Claims 5 and 11 – specifically the element:

  decoding the instruction to determine a second context and source data register associated with a first operand;

- "Joy" disclosure of a decoder for handling selection of data for each read port of IN register or OUT register, particularly Col. 30 lines 21-24. In our understanding of Joy, the decoder applied in pages 7-8 of the Office Action (Joy Col. 30 lines 21-24) is not disclosed as operating on instructions. The decoder applied by the Examiner appears to be for the hardware selection of data for reads from the INs and OUTs registers. Joy discloses other 'decoders' besides the one applied in the Office Action, but we cannot find a decoder in Joy that meets the requirements of decoding an instruction of a first thread associated with a first context to determine a second context.